



General Assembly

***Amendment***

February Session, 2002

LCO No. 4197

\*HB0574904197HD0\*

Offered by:

REP. LAWLOR, 99<sup>th</sup> Dist.

To: Subst. House Bill No. 5749

File No. 426

Cal. No. 269

***"AN ACT CONCERNING THE REVISOR'S TECHNICAL  
CORRECTIONS TO THE GENERAL STATUTES AND CERTAIN  
PUBLIC ACTS."***

---

1 In line 499, before "CFR" insert "20"

2 In line 2041, after "36a-65" insert ", as amended,"

3 After line 2406, insert the following:

4 "Sec. 103. Subsection (d) of section 10a-77 of the general statutes, as  
5 amended by section 31 of public act 01-173, is repealed and the  
6 following is substituted in lieu thereof (*Effective from passage*):

7 (d) Said board of trustees shall waive the payment of tuition at any  
8 of the regional community-technical colleges (1) for any dependent  
9 child of a person whom the armed forces of the United States has  
10 declared to be missing in action or to have been a prisoner of war  
11 while serving in such armed forces after January 1, 1960, which child  
12 has been accepted for admission to such institution and is a resident of

13 Connecticut at the time such child is accepted for admission to such  
14 institution, (2) for any veteran having served in time of war, as defined  
15 in subsection (a) of section 27-103, or who served in either a combat or  
16 combat support role in the invasion of Grenada, October 25, 1983, to  
17 December 15, 1983, the invasion of Panama, December 20, 1989, to  
18 January 31, 1990, or the peace-keeping mission in Lebanon, September  
19 29, 1982, to March 30, 1984, who has been accepted for admission to  
20 such institution and is a resident of Connecticut at the time such  
21 veteran is accepted for admission to such institution, (3) for any  
22 resident of Connecticut sixty-two years of age or older, provided, at  
23 the end of the regular registration period, there are enrolled in the  
24 course a sufficient number of students other than those persons  
25 eligible for waivers pursuant to this subdivision to offer the course in  
26 which such person intends to enroll and there is space available in  
27 such course after accommodating all such students, (4) for any student  
28 attending the Connecticut State Police Academy who is enrolled in a  
29 law enforcement program at said academy offered in coordination  
30 with a regional community-technical college which accredits courses  
31 taken in such program, (5) for any active member of the Connecticut  
32 Army or Air National Guard who (A) is a resident of Connecticut, (B)  
33 has been certified by the Adjutant General or such Adjutant General's  
34 designee as a member in good standing of the guard, and (C) is  
35 enrolled or accepted for admission to such institution on a full-time or  
36 part-time basis in an undergraduate degree-granting program, and (6)  
37 for any dependent child of a (A) police officer, as defined in section 7-  
38 294a, or [a] supernumerary or auxiliary police officer, (B) firefighter, as  
39 defined in section 7-323j, or member of a volunteer fire company, (C)  
40 municipal employee, or (D) state employee, as defined in section 5-154,  
41 killed in the line of duty. If any person who receives a tuition waiver in  
42 accordance with the provisions of this subsection also receives  
43 educational reimbursement from an employer, such waiver shall be  
44 reduced by the amount of such educational reimbursement. Veterans  
45 described in subdivision (2) of this subsection and members of the  
46 National Guard described in subdivision (5) of this subsection shall be  
47 given the same status as students not receiving tuition waivers in

48 registering for courses at regional community-technical colleges.

49 Sec. 104. Subsection (d) of section 10a-99 of the general statutes, as  
50 amended by section 32 of public act 01-173, is repealed and the  
51 following is substituted in lieu thereof (*Effective from passage*):

52 (d) Said board shall waive the payment of tuition fees at the  
53 Connecticut State University system (1) for any dependent child of a  
54 person whom the armed forces of the United States has declared to be  
55 missing in action or to have been a prisoner of war while serving in  
56 such armed forces after January 1, 1960, which child has been accepted  
57 for admission to such institution and is a resident of Connecticut at the  
58 time such child is accepted for admission to such institution, (2) for  
59 any veteran having served in time of war, as defined in subsection (a)  
60 of section 27-103, or who served in either a combat or combat support  
61 role in the invasion of Grenada, October 25, 1983, to December 15,  
62 1983, the invasion of Panama, December 20, 1989, to January 31, 1990,  
63 or the peace-keeping mission in Lebanon, September 29, 1982, to  
64 March 30, 1984, who has been accepted for admission to such  
65 institution and is a resident of Connecticut at the time such veteran is  
66 accepted for admission to such institution, (3) for any resident of  
67 Connecticut sixty-two years of age or older who has been accepted for  
68 admission to such institution, provided (A) such person is enrolled in a  
69 degree-granting program, or [ provided,] (B) at the end of the regular  
70 registration period, there are enrolled in the course a sufficient number  
71 of students other than those persons eligible for waivers pursuant to  
72 this subdivision to offer the course in which such person intends to  
73 enroll and there is space available in such course after accommodating  
74 all such students, (4) for any student attending the Connecticut Police  
75 Academy who is enrolled in a law enforcement program at said  
76 academy offered in coordination with the university which accredits  
77 courses taken in such program, (5) for any active member of the  
78 Connecticut Army or Air National Guard who (A) is a resident of  
79 Connecticut, (B) has been certified by the Adjutant General or such  
80 Adjutant General's designee as a member in good standing of the  
81 guard, and (C) is enrolled or accepted for admission to such institution

82 on a full-time or part-time basis in an undergraduate degree-granting  
83 program, and (6) for any dependent child of a (A) police officer, as  
84 defined in section 7-294a, or [a] supernumerary or auxiliary police  
85 officer, (B) firefighter, as defined in section 7-323j, or [a] member of a  
86 volunteer fire company, (C) municipal employee, or (D) state  
87 employee, as defined in section 5-154, killed in the line of duty. If any  
88 person who receives a tuition waiver in accordance with the provisions  
89 of this subsection also receives educational reimbursement from an  
90 employer, such waiver shall be reduced by the amount of such  
91 educational reimbursement. Veterans described in subdivision (2) of  
92 this subsection and members of the National Guard described in  
93 subdivision (5) of this subsection shall be given the same status as  
94 students not receiving tuition waivers in registering for courses at  
95 Connecticut state universities.

96 Sec. 105. Subsection (e) of section 10a-105 of the general statutes, as  
97 amended by section 36 of public act 01-173, is repealed and the  
98 following is substituted in lieu thereof (*Effective from passage*):

99 (e) Said board of trustees shall waive the payment of tuition fees at  
100 The University of Connecticut (1) for any dependent child of a person  
101 whom the armed forces of the United States has declared to be missing  
102 in action or to have been a prisoner of war while serving in such armed  
103 forces after January 1, 1960, which child has been accepted for  
104 admission to The University of Connecticut and is a resident of  
105 Connecticut at the time such child is accepted for admission to [such]  
106 said institution, (2) for any veteran having served in time of war, as  
107 defined in subsection (a) of section 27-103, or who served in either a  
108 combat or combat support role in the invasion of Grenada, October 25,  
109 1983, to December 15, 1983, the invasion of Panama, December 20,  
110 1989, to January 31, 1990, or the peace-keeping mission in Lebanon,  
111 September 29, 1982, to March 30, 1984, who has been accepted for  
112 admission to said institution and is a resident of Connecticut at the  
113 time such veteran is accepted for admission to said institution, (3) for  
114 any resident of Connecticut sixty-two years of age or older who has  
115 been accepted for admission to said institution, provided (A) such

116 person is enrolled in a degree-granting program, or [ provided,] (B) at  
117 the end of the regular registration period, there are enrolled in the  
118 course a sufficient number of students other than those persons  
119 eligible for waivers pursuant to this subdivision to offer the course in  
120 which such person intends to enroll and there is space available in  
121 such course after accommodating all such students, (4) for any active  
122 member of the Connecticut Army or Air National Guard who (A) is a  
123 resident of Connecticut, (B) has been certified by the Adjutant General  
124 or such Adjutant General's designee as a member in good standing of  
125 the guard, and (C) is enrolled or accepted for admission to [such] said  
126 institution on a full-time or part-time basis in an undergraduate  
127 degree-granting program, and (5) for any dependent child of a (A)  
128 police officer, as defined in section 7-294a, or [a] supernumerary or  
129 auxiliary police officer, (B) firefighter, as defined in section 7-323j, or  
130 [a] member of a volunteer fire company, (C) municipal employee, or  
131 (D) state employee, as defined in section 5-154, killed in the line of  
132 duty. If any person who receives a tuition waiver in accordance with  
133 the provisions of this subsection also receives educational  
134 reimbursement from an employer, such waiver shall be reduced by the  
135 amount of such educational reimbursement. Veterans described in  
136 subdivision (2) of this subsection and members of the National Guard  
137 described in subdivision (4) of this subsection shall be given the same  
138 status as students not receiving tuition waivers in registering for  
139 courses at The University of Connecticut.

140 Sec. 106. Subsection (b) of section 17b-529 of the general statutes is  
141 repealed and the following is substituted in lieu thereof (*Effective from*  
142 *passage*):

143 (b) Liability under this section for any violation, misstatement or  
144 omission exists only if the provider or person liable knew or should  
145 have known of the violation, [the] misstatement or omission.

146 Sec. 107. Subsection (b) of section 20-340b of the general statutes, as  
147 amended by section 2 of public act 01-164, is repealed and the  
148 following is substituted in lieu thereof (*Effective from passage*):

149 (b) Notwithstanding any [provisions] provision of this chapter [,] to  
150 the contrary, a public service technician may be issued a certificate of  
151 registration by the Department of Consumer Protection, upon  
152 authorization of the Electrical Work Board, in lieu of any license which  
153 otherwise might be required under this chapter, which shall entitle the  
154 holder of such certificate to perform telecommunications electrical  
155 work only as provided in this section, provided the public service  
156 company, certified telecommunications provider or affiliate which  
157 employs the public service technician certifies to the Electrical Work  
158 Board that the employee has obtained such training and experience  
159 deemed necessary by the public service company, certified  
160 telecommunications provider or affiliate to perform  
161 telecommunications electrical work included in such employee's job  
162 functions.

163 Sec. 108. Subsection (k) of section 20-340b of the general statutes, as  
164 amended by section 2 of public act 01-164, is repealed and the  
165 following is substituted in lieu thereof (*Effective from passage*):

166 (k) In lieu of displaying a contractor's license number pursuant to  
167 section 20-334, each public service company, certified  
168 telecommunications provider or affiliate authorized pursuant to this  
169 section to employ registered public service technicians shall display its  
170 name, logo or other trademark which clearly identifies the company or  
171 provider on all commercial vehicles used in its business and in a  
172 conspicuous manner on all printed advertisements, bid proposals,  
173 contracts [,] and invoices and on all stationery used in its business.

174 Sec. 109. Subsection (b) of section 20-417b of the general statutes, as  
175 amended by section 84 of public act 01-195, is repealed and the  
176 following is substituted in lieu thereof (*Effective from passage*):

177 (b) Any person seeking a certificate of registration shall apply to the  
178 commissioner, in writing, on a form provided by the commissioner.  
179 The application shall include (1) the applicant's name, business street  
180 address [,] and business telephone number, (2) the identity of the

181 insurer that provides the applicant with insurance coverage for  
182 liability, (3) if such applicant is required by any provision of the  
183 general statutes to have workers' compensation coverage, the identity  
184 of the insurer that provides the applicant with such workers'  
185 compensation coverage, and (4) if such applicant is required by any  
186 provision of the general statutes to have an agent for service of  
187 process, the name and address of such agent. Each such application  
188 shall be accompanied by a fee of one hundred twenty dollars, except  
189 that no such application fee shall be required if such person has paid  
190 the registration fee required under section 20-421 during any year in  
191 which such person's registration as a new home construction  
192 contractor would be valid.

193 Sec. 110. Subdivision (7) of section 21a-7 of the general statutes, as  
194 amended by section 89 of public act 01-195, is repealed and the  
195 following is substituted in lieu thereof (*Effective from passage*):

196 (7) In addition to any other action permitted under the general  
197 statutes, each board or commission may upon a finding of any cause  
198 specified in subsection (c) of section 21a-9: (A) Revoke or suspend a  
199 license, registration or certificate; (B) issue a letter of reprimand to a  
200 practitioner and send a copy of such letter to a complainant or to a  
201 state or local official; (C) place a practitioner on probationary status  
202 and require the practitioner to (i) report regularly to the board or  
203 commission on the matter which is the basis for probation, (ii) limit the  
204 practitioner's practice to areas prescribed by the board or commission,  
205 or [, to] (iii) continue or renew the practitioner's education until the  
206 practitioner has attained a satisfactory level of competence in any area  
207 which is the basis for probation. Each board or commission may  
208 discontinue, suspend or rescind any action taken under this  
209 subsection.

210 Sec. 111. Subdivision (4) of subsection (a) of section 30-64 of the  
211 general statutes is repealed and the following is substituted in lieu  
212 thereof (*Effective from passage*):

213 (4) Schedules of suggested prices shall be filed at the times and  
214 remain in effect for the periods fixed by the department, such periods  
215 not to exceed four months each. Within ten days after the filing of such  
216 schedules, the department shall make them or a composite thereof  
217 available for inspection by permittees. All schedules so filed shall be  
218 subject to public inspection, from the time that they are required to be  
219 made available for inspection to permittees. Each out-of-state shipper,  
220 manufacturer or [wholesale] wholesaler permittee shall retain in [his]  
221 such permittee's permit premises a copy of [his] such permittee's filed  
222 schedules. Notice of all out-of-state shipper, manufacturer or  
223 wholesaler permittee prices, together with suggested consumer resale  
224 prices, shall be given by the out-of-state shipper, manufacturer or  
225 wholesaler permittee to permittee purchasers, either by direct mail or  
226 advertising in a trade publication having a circulation among the retail  
227 permittees.

228 Sec. 112. Section 30-68l of the general statutes is repealed and the  
229 following is substituted in lieu thereof (*Effective from passage*):

230 No [wholesale] wholesaler permittee shall sell to any purchaser  
231 holding a permit for the sale of alcoholic liquor for on or off premises  
232 consumption at a price which is below [his] such wholesaler  
233 permittee's cost. For the purposes of this section, [cost] "cost" means:  
234 (1) On domestic alcoholic liquor bottled in the state, the total of (A) the  
235 cost of all ingredients, (B) all transportation charges from the point of  
236 origin to the point of destination, (C) all applicable federal and state  
237 taxes, and (D) the cost of containers, labels, caps, closures and all  
238 bottling charges and labor; (2) on imported alcoholic liquor bottled in  
239 the state, the total of (A) the invoice price from the supplier, (B) all  
240 other ingredients, (C) the cost of duties, (D) all applicable federal and  
241 state taxes, (E) insurance, (F) ocean freight and brokerage charges, (G)  
242 all transportation charges, and (H) the cost of containers, labels, caps,  
243 closures and all bottling charges and labor; (3) on domestic alcoholic  
244 liquors not bottled in this state, the total of (A) the posted price from  
245 the supplier to the wholesaler, (B) the cost of shipping or delivery  
246 charges to the wholesaler's place of business which were paid by the



247 wholesaler in addition to the posted price, and (C) all applicable  
248 federal and state taxes paid by the wholesaler in addition to the posted  
249 price; (4) on imported alcoholic liquor not bottled in the state, the total  
250 of (A) the posted price from the supplier, (B) the cost of duties,  
251 insurance, ocean freight and brokerage charges and transportation  
252 charges paid by the wholesaler in addition to the posted price, and (C)  
253 all applicable federal and state taxes paid by the wholesaler in addition  
254 to the posted price. The provisions of this section shall not apply to  
255 sales of wine.

256 Sec. 113. Subdivision (2) of subsection (e) of section 30-86 of the  
257 general statutes, as amended by section 1 of public act 01-92, is  
258 repealed and the following is substituted in lieu thereof (*Effective from*  
259 *passage*):

260 (2) In determining whether a permittee or permittee's agent or  
261 employee has proven the affirmative defense provided by subdivision  
262 (1) of this subsection, the trier of fact in such prosecution shall consider  
263 that reasonable reliance upon the identification presented and the  
264 completed transaction scan may require a permittee or permittee's  
265 agent or employee to exercise reasonable diligence and that the use of  
266 a transaction scan device does not excuse a permittee or permittee's  
267 agent or employee from exercising such reasonable diligence to  
268 determine the following: (A) Whether a person to whom the permittee  
269 or permittee's agent or employee sells, gives away or otherwise  
270 distributes alcoholic liquor is twenty-one years of age or older; and (B)  
271 whether the description and picture appearing on the driver's license  
272 or identity card presented by a cardholder [is that] are those of the  
273 cardholder.

274 Sec. 114. Subsection (a) of section 31-51jj of the general statutes is  
275 repealed and the following is substituted in lieu thereof (*Effective from*  
276 *passage*):

277 (a) For purposes of this section:

278 (1) "Emergency" means a situation in which a member of the

279 employee's family has died, has experienced a serious physical injury  
280 or is ill and in need of medical attention; and

281 (2) "Member of the employee's family" means a mother, father,  
282 husband, wife, son, daughter, sister or brother of the employee.

283 Sec. 115. Subdivision (1) of section 36b-41 of the general statutes is  
284 repealed and the following is substituted in lieu thereof (*Effective from*  
285 *passage*):

286 (1) "Target company" means any stock corporation which is  
287 organized under the laws of this state, has its principal executive office  
288 in this state and has, on a consolidated basis, five hundred or more  
289 employees and fifty million dollars of tangible assets in this state, other  
290 than: (A) A domestic insurance company, as defined in [subsection (b)  
291 of] section 38a-1; (B) a bank, as defined in subdivision (3) of subsection  
292 (a) of section 36-419\*, or a bank holding company, as defined in  
293 subdivision (1) of subsection (a) of section 36-419\*; (C) a public utility  
294 company or a holding company, as defined in Section 2 of the Federal  
295 Public Utility Holding Company Act of 1935, presently constituted as  
296 Section 79b of Title 15 of the United States Code, an acquisition of or  
297 by, or merger with which, is subject to approval by the appropriate  
298 federal agency as provided in said act; (D) a bank or bank holding  
299 company subject to the Federal Bank Holding Company Act of 1956,  
300 presently constituted as Section 1841 et seq. of Title 12 of the United  
301 States Code, an acquisition of or by, or merger with which, is subject to  
302 approval by the appropriate federal agency as provided in said act; or  
303 (E) a savings and loan holding company, as defined in Section 2 of the  
304 Federal Savings and Loan Holding Company Amendments of 1967,  
305 presently constituted as Section 1730a of Title 12 of the United States  
306 Code, an acquisition of or by, or merger with which, is subject to  
307 approval by the appropriate federal agency as provided in said act.

308 Sec. 116. Section 45a-3 of the general statutes is repealed and the  
309 following is substituted in lieu thereof (*Effective from passage*):

310 The town of Griswold shall, on [or] and after the first Wednesday

311 following the first Monday of January, 1979, constitute a probate  
312 district by the name of the probate district of Griswold. In 1978, and  
313 quadrennially thereafter, a judge of probate for [such] said district  
314 shall be elected at the time and in the manner provided by law for the  
315 election of judges of probate. From and after the first Wednesday  
316 following the first Monday of January, 1979, the probate court for the  
317 district of Griswold, shall have the jurisdiction of all probate business  
318 arising in the town of Griswold, but all business previously entered or  
319 begun in the probate court for the district of Norwich shall be  
320 completed in the same manner as if this section had not been passed.

321 Sec. 117. Section 45a-4 of the general statutes is repealed and the  
322 following is substituted in lieu thereof (*Effective from passage*):

323 The towns of West Hartford and Bloomfield shall, on [or] and after  
324 the first Wednesday following the first Monday of January, 1983,  
325 constitute a probate district by the name of the probate district of West  
326 Hartford. In 1982, and quadrennially thereafter, a judge of probate for  
327 [such] said district shall be elected at the time and in the manner  
328 provided by law for the election of judges of probate. From and after  
329 the first Wednesday following the first Monday of January, 1983, the  
330 probate court for the district of West Hartford shall have the  
331 jurisdiction of all probate business arising in the towns of West  
332 Hartford and Bloomfield, but all business previously entered or begun  
333 in the probate court for the district of Hartford shall be completed in  
334 the same manner as if this section had not been passed.

335 Sec. 118. Section 45a-5 of the general statutes is repealed and the  
336 following is substituted in lieu thereof (*Effective from passage*):

337 The town of Woodbridge shall, on [or] and after the first  
338 Wednesday following the first Monday of January, 1987, constitute a  
339 probate district by the name of the probate district of Woodbridge. In  
340 1986, and quadrennially thereafter, a judge of probate for [such] said  
341 district shall be elected at the time and in the manner provided by law  
342 for the election of judges of probate. From and after the first

343 Wednesday following the first Monday of January, 1987, the probate  
344 court for the district of Woodbridge, shall have the jurisdiction of all  
345 probate business arising in the town of Woodbridge, but all business  
346 previously entered or begun in the probate court for the district of  
347 New Haven shall be completed in the same manner as if this section  
348 had not been passed.

349 Sec. 119. Section 45a-6 of the general statutes is repealed and the  
350 following is substituted in lieu thereof (*Effective from passage*):

351 The town of Bloomfield shall, on [or] and after the first Wednesday  
352 following the first Monday of January, 1991, constitute a probate  
353 district by the name of the probate district of Bloomfield. In 1990, and  
354 quadrennially thereafter, a judge of probate for [such] said district  
355 shall be elected at the time and in the manner provided by law for the  
356 election of judges of probate. From and after the first Wednesday  
357 following the first Monday of January, 1991, the probate court for the  
358 district of Bloomfield shall have the jurisdiction of all probate business  
359 arising in the town of Bloomfield, but all business previously entered  
360 or begun in the probate court for the district of West Hartford shall be  
361 completed in the same manner as if this section had not been passed.

362 Sec. 120. Section 45a-6a of the general statutes is repealed and the  
363 following is substituted in lieu thereof (*Effective from passage*):

364 The towns of Chaplin and Eastford shall, on [or] and after the first  
365 Wednesday following the first Monday of January, 1999, constitute a  
366 probate district by the name of the probate district of Eastford. In 1998,  
367 and quadrennially thereafter, a judge of probate for [such] said district  
368 shall be elected at the time and in the manner provided by law for the  
369 election of judges of probate. From and after the first Wednesday  
370 following the first Monday of January 1999, the probate court for the  
371 district of Eastford shall have the jurisdiction of all probate business  
372 arising in the towns of Chaplin and Eastford.

373 Sec. 121. Section 45a-6b of the general statutes is repealed and the  
374 following is substituted in lieu thereof (*Effective from passage*):

375 The towns of Stafford, Somers and Union shall, on [or] and after the  
376 first Wednesday following the first Monday of January, 1999,  
377 constitute a probate district by the name of the probate district of  
378 Stafford. In 1998, and quadrennially thereafter, a judge of probate for  
379 [such] said district shall be elected at the time and in the manner  
380 provided by law for the election of judges of probate. From and after  
381 the first Wednesday following the first Monday of January, 1999, the  
382 probate court for the district of Stafford shall have the jurisdiction of  
383 all probate business arising in the towns of Stafford, Somers and  
384 Union.

385 Sec. 122. Section 45a-6c of the general statutes is repealed and the  
386 following is substituted in lieu thereof (*Effective from passage*):

387 The towns of Coventry and Mansfield shall, on [or] and after the  
388 first Wednesday following the first Monday of January, 1999,  
389 constitute a probate district by the name of the probate district of  
390 Mansfield. In 1998, and quadrennially thereafter, a judge of probate for  
391 [such] said district shall be elected at the time and in the manner  
392 provided by law for the election of judges of probate. From and after  
393 the first Wednesday following the first Monday of January, 1999, the  
394 probate court for the district of Mansfield shall have the jurisdiction of  
395 all probate business arising in the towns of Coventry and Mansfield.

396 Sec. 123. Section 46b-1 of the general statutes is repealed and the  
397 following is substituted in lieu thereof (*Effective from passage*):

398 Matters within the jurisdiction of the Superior Court deemed to be  
399 family relations matters shall be matters affecting or involving: (1)  
400 Dissolution of marriage, contested and uncontested, except dissolution  
401 upon conviction of crime as provided in section 46b-47; (2) legal  
402 separation; (3) annulment of marriage; (4) alimony, support, custody  
403 and change of name incident to dissolution of marriage, legal  
404 separation and annulment; (5) actions brought under section 46b-15;  
405 (6) complaints for change of name; (7) civil support obligations; (8)  
406 habeas corpus and other proceedings to determine the custody and

407 visitation of children; (9) habeas corpus brought by or in behalf of any  
408 mentally ill person except a person charged with a criminal offense;  
409 (10) appointment of a commission to inquire whether a person is  
410 wrongfully confined as provided by section 17a-523; (11) juvenile  
411 matters as provided in section 46b-121; (12) all rights and remedies  
412 provided for in chapter 815j; (13) the establishing of paternity; (14)  
413 appeals from probate concerning: [(a)] (A) Adoption or termination of  
414 parental rights; [(b)] (B) appointment and removal of guardians; [(c)]  
415 (C) custody of a minor child; [(d)] (D) appointment and removal of  
416 conservators; [(e)] (E) orders for custody of any child; [(f)] (F) orders of  
417 commitment of persons to public and private institutions and to other  
418 appropriate facilities as provided by statute; (15) actions related to  
419 prenuptial and separation agreements and to matrimonial decrees of a  
420 foreign jurisdiction; (16) custody proceeding brought under the  
421 provisions of chapter [815o] 815p; and (17) all such other matters  
422 within the jurisdiction of the Superior Court concerning children or  
423 family relations as may be determined by the judges of said court.

424 Sec. 124. Subsections (b) and (c) of section 46b-16 of the general  
425 statutes are repealed and the following is substituted in lieu thereof  
426 (*Effective from passage*):

427 (b) If the court finds that there is a substantial likelihood that the  
428 child will be removed from the jurisdiction of the court prior to a  
429 hearing to determine custody, an order of temporary custody may be  
430 issued ex parte by the court granting the temporary care and custody  
431 of the child to a suitable person or agency pending a hearing to  
432 determine custody pursuant to chapter 815j or [815o] 815p. Such  
433 hearing shall be held not more than five days from the issuance of the  
434 ex parte order [nor] or less than three days from the return of service,  
435 whichever is later.

436 (c) If the parent or relative arrested for violation of section 53a-97 or  
437 53a-98 is in custody of the state, the state shall produce such parent or  
438 relative for the hearing to determine custody of the child pursuant to  
439 chapter 815j or [815o] 815p.

440 Sec. 125. Subsection (a) of section 46b-46 of the general statutes is  
441 repealed and the following is substituted in lieu thereof (*Effective from*  
442 *passage*):

443 (a) On a complaint for dissolution, annulment, legal separation or  
444 custody, if the defendant resides out of or is absent from the state or  
445 the whereabouts of the defendant [is] are unknown to the plaintiff, any  
446 judge or clerk of the Supreme Court or of the Superior Court may  
447 make such order of notice as [he] such judge or clerk deems  
448 reasonable. After notice has been given and proved to the court, the  
449 court may hear the complaint if it finds that the defendant has actually  
450 received notice that the complaint is pending. If it does not appear that  
451 the defendant has had such notice, the court may hear the case, or, if it  
452 sees cause, order such further notice to be given as it deems reasonable  
453 and continue the complaint until the order is complied with. Nothing  
454 in this section shall be construed to affect the jurisdictional  
455 requirements of chapter [815o] 815p in a complaint for custody.

456 Sec. 126. Subsection (a) of section 46b-56 of the general statutes is  
457 repealed and the following is substituted in lieu thereof (*Effective from*  
458 *passage*):

459 (a) In any controversy before the Superior Court as to the custody or  
460 care of minor children, and at any time after the return day of any  
461 complaint under section 46b-45, the court may at any time make or  
462 modify any proper order regarding the education and support of the  
463 children and of care, custody and visitation if it has jurisdiction under  
464 the provisions of chapter [815o] 815p. Subject to the provisions of  
465 section 46b-56a, the court may assign the custody of any child to the  
466 parents jointly, to either parent or to a third party, according to its best  
467 judgment upon the facts of the case and subject to such conditions and  
468 limitations as it deems equitable. The court may also make any order  
469 granting the right of visitation of any child to a third party, including,  
470 but not limited to, grandparents.

471 Sec. 127. Section 46b-57 of the general statutes is repealed and the

472 following is substituted in lieu thereof (*Effective from passage*):

473 In any controversy before the Superior Court as to the custody of  
474 minor children, and on any complaint under this chapter or section  
475 46b-1 or 51-348a, if there is any minor child of either or both parties,  
476 the court, if it has jurisdiction under the provisions of chapter [815o]  
477 815p, may allow any interested third party or parties to intervene upon  
478 motion. The court may award full or partial custody, care, education  
479 and visitation rights of such child to any such third party upon such  
480 conditions and limitations as it deems equitable. Before allowing any  
481 such intervention, the court may appoint counsel for the child or  
482 children pursuant to the provisions of section 46b-54. In making any  
483 order under this section the court shall be guided by the best interests  
484 of the child, giving consideration to the wishes of the child if [he] the  
485 child is of sufficient age and capable of forming an intelligent  
486 preference.

487 Sec. 128. Subsection (f) of section 52-57 of the general statutes is  
488 repealed and the following is substituted in lieu thereof (*Effective from*  
489 *passage*):

490 (f) When the other methods of service of process provided under  
491 this section or otherwise provided by law cannot be effected, in actions  
492 concerning the establishment, enforcement or modification of child  
493 support orders other than actions for dissolution of marriage,  
494 including, but not limited to, such actions under sections 17b-19, 17b-  
495 63 to 17b-65, inclusive, 17b-116 to 17b-138, inclusive, 17b-220 to 17b-  
496 250, inclusive, 17b-256, 17b-259, 17b-263, 17b-287, 17b-340 to 17b-350,  
497 inclusive, 17b-689, 17b-689b, 17b-743 to 17b-747, inclusive, and 46b-212  
498 to 46b-213v, inclusive, and chapters 815, [815o] 815p, 815t, 815y and  
499 816, and actions to implement garnishments for support under section  
500 52-362, service of process may be made upon a party to the action by  
501 one of the following methods, provided proof of receipt of such  
502 process by such party is presented to the court in accordance with  
503 rules promulgated by the judges of the Superior Court:



504 (1) By certified mail to a party to the action addressed to the  
505 employer of such party. Any service of process so sent shall include on  
506 the outside envelope the words "To be delivered to the employee in  
507 accordance with subsection (f) of section 52-57". The employer shall  
508 accept any such service of process sent by certified mail and promptly  
509 deliver such certified mail to the employee; or

510 (2) When a party to an action under this subsection is employed by  
511 an employer with fifteen or more employees, by personal service upon  
512 an official of the employer designated as an agent to accept service of  
513 process in actions brought under this subsection. Every employer with  
514 fifteen or more employees doing business in this state shall designate  
515 an official to accept service of process for employees who are parties to  
516 such actions. The person so served shall promptly deliver such process  
517 to the employee.

518 Sec. 129. Subsection (c) of section 53a-28 of the general statutes, as  
519 amended by section 13 of public act 01-211, is repealed and the  
520 following is substituted in lieu thereof (*Effective from passage*):

521 (c) In addition to any sentence imposed pursuant to subsection (b)  
522 of this section, if (1) a person is convicted of an offense that resulted in  
523 injury to another person or damage to or loss of property, (2) the  
524 victim requests financial restitution, and (3) the court finds that the  
525 victim has suffered injury or damage to or loss of property as a result  
526 of such offense, the court shall order the offender to make financial  
527 restitution under terms that it determines are appropriate. In  
528 determining the appropriate terms of financial restitution, the court  
529 shall consider: (A) The financial resources of the offender and the  
530 burden restitution will place on other obligations of the offender; (B)  
531 the offender's ability to pay based on installments or other conditions;  
532 (C) the rehabilitative effect on the offender of the payment of  
533 restitution and the method of payment; and (D) other circumstances,  
534 including the financial burden and impact on the victim, that the court  
535 determines [makes] make the terms of restitution appropriate. If the  
536 court determines that the current financial resources of the offender or

537 the offender's current ability to pay based on installments or other  
538 conditions are such that no appropriate terms of restitution can be  
539 determined, the court may forego setting such terms. The court shall  
540 articulate its findings on the record with respect to each of the factors  
541 set forth in subparagraphs (A) to (D), inclusive, of this subsection.  
542 Restitution ordered by the court pursuant to this subsection shall be  
543 based on easily ascertainable damages for injury or loss of property,  
544 actual expenses incurred for treatment for injury to persons and lost  
545 wages resulting from injury. Restitution shall not include  
546 reimbursement for damages for mental anguish, pain and suffering or  
547 other intangible losses, but may include the costs of counseling  
548 reasonably related to the offense. Restitution ordered by the court  
549 pursuant to this subsection shall be imposed or directed by a written  
550 order of the court containing the amount of damages for injury or loss  
551 of property, actual expenses incurred for treatment for injury to  
552 persons and lost wages resulting from injury as ascertained by the  
553 court. The order of the court shall direct that a certified copy of the  
554 order be delivered by certified mail to the victim and contain an  
555 advisement to the victim that the order is enforceable as a judgment in  
556 a civil action as provided in section 53a-28a.

557 Sec. 130. Subsection (d) of section 1 of public act 01-164 is repealed  
558 and the following is substituted in lieu thereof (*Effective from passage*):

559 (d) The commissioner shall issue a telecommunications  
560 infrastructure layout technician license to any individual who: (1)  
561 Completes a college level program or other program of instruction  
562 approved by the Department of Consumer Protection that assures  
563 industry standards in telecommunications infrastructure design; (2)  
564 submits an application pursuant to subsection (c) of this section  
565 deemed acceptable by the Commissioner of Consumer Protection; and  
566 (3) at the time of application, has held for not less than five years, and  
567 continues to hold, a valid unlimited or limited electrical license issued  
568 under the Electrical Work Board [ ] or a public service technician  
569 certificate of registration issued pursuant to section 20-340b, or has  
570 other equivalent experience and training as required for an electrical

571 license, as determined by the commissioner. A license issued pursuant  
572 to this subsection is nontransferable. The fee for a telecommunications  
573 infrastructure layout technician license is two hundred fifty dollars.  
574 Such license shall be renewed biennially and the renewal fee is two  
575 hundred fifty dollars.

576 Sec. 131. Subsection (a) of section 1 of public act 01-200 is repealed  
577 and the following is substituted in lieu thereof (*Effective from passage*):

578 (a) Upon expiration of a motor vehicle rental contract between a  
579 lessee and a rental company, the rental company has the right to take  
580 possession of the rental motor vehicle pursuant to this section if: (1)  
581 The term of the expired rental contract was for thirty days or less; and  
582 (2) not less than seventy-two hours have elapsed from the time the  
583 vehicle should have been returned in accordance with the provisions  
584 of the rental contract, [and] during which time the lessee and the rental  
585 company did not agree to extend the rental contract. ["Lessee"] For the  
586 purposes of this section, "lessee" and "rental company" have the same  
587 meaning as provided in section 12-692 and "rental motor vehicle" has  
588 the same meaning as provided in section 14-15b.

589 Sec. 132. Section 2 of public act 02-2 is repealed and the following is  
590 substituted in lieu thereof (*Effective from passage*):

591 The towns of New Hartford, Barkhamsted and Hartland shall, on  
592 and after the first Wednesday following the first Monday of January,  
593 2003, constitute a probate district by the name of the probate district of  
594 New Hartford. In 2002, and quadrennially thereafter, a judge of  
595 probate for [such] said district shall be elected at the time and in the  
596 manner provided by law for the election of judges of probate. From  
597 and after the first Wednesday following the first Monday of January,  
598 2003, the probate court for the district of New Hartford shall have the  
599 jurisdiction of all probate business arising in the towns of New  
600 Hartford, Barkhamsted and Hartland.

601 Sec. 133. Subsection (d) of section 36 of substitute house bill 5316 of  
602 the current session is repealed and the following is substituted in lieu

603    thereof (*Effective October 1, 2002*):

604       (d) The fee payable to the Secretary of the State for preparing and  
605    furnishing a copy of any document, instrument or paper filed or  
606    recorded relating to a credit union shall be: (1) For each copy of each  
607    document thereof regardless of the number of pages, twenty dollars;  
608    and (2) for affixing the official seal thereto, five dollars."